



1 Electronically Filed _____
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Entered on Docket
May 07, 2010

Bruce A. Markell

Hon. Bruce A. Markell
United States Bankruptcy Judge

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8 WILDE & ASSOCIATES
9 Gregory L. Wilde, Esq.
Nevada Bar No. 004417
10 212 South Jones Boulevard
Las Vegas, Nevada 89107
Telephone: 702 258-8200
11 Fax: 702 258-8787
Wells Fargo Bank, N.A.
12 09-74575

13
14 **UNITED STATES BANKRUPTCY COURT**
15 **DISTRICT OF NEVADA**
16

In Re:

17 Robert G. Kohoutek

BK-S-08-19569-bam

MS Motion No.

Date:

19 Time:

20 Chapter 13

21 Debtor.

22 **ORDER RE ADEQUATE PROTECTION**
23

24 Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing
25 in the above-entitled Court, all appearances as noted on court record, and based upon all the
26 papers and pleadings on file herein and good cause appearing therefor.

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtor will cure the
 2 post-petition arrearages currently due as follows:

3 4 Monthly Payments(s) at \$1,653.02	\$6,612.08
4 (January 1, 2010 - April 1, 2010)	
5 4 Late Charge(s) at \$64.76	\$259.04
6 (January 1, 2010 - April 1, 2010)	
7 Property Inspections	\$44.21
Motion for Relief Filing Fee	\$150.00
Attorneys Fees	\$750.00
Suspense Amount	(\$491.40)
Total	\$7,323.93

9
 10 The total arrearage shall be paid in six monthly installments. Payments one
 11 through five (1-5) in the amount of \$1,220.66 shall be in addition to the regular monthly payment
 12 and shall be due on or before the 20th day of the month commencing with the April 20, 2010
 13 payment and continuing throughout and concluding on or before September 20, 2010. The sixth
 14 final payment in the amount of \$1,220.63 shall be paid on or before August 20, 2010.

15 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor
 16 shall give Debtor at least five business days' notice of the time, place and date of sale.

17 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtor shall resume
 18 and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan,
 19 beginning with the May 1, 2010, payment, on Secured Creditor's Trust obligation, encumbering the
 20 subject Property, generally described as 4366 Silver Bay Street , Las Vegas, NV 89147, and
 legally described as follows:

21 Lot 288 in Block "A" of Cimarron Maadows Unit 8, as shown by map thereof on file in
 22 Book 74 of Plats, Page 43, and by Certificate of Amendment recorded October 17, 1996 in
 23 Book 961017 as Document No. 01353, in the Office of the County Recorder of Clark
 County, Nevada.

24 IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtor fails to make
 25 any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured
 26 Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file
 and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of
 Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an
 attorney fees of \$100.00, to be paid by the Debtors upon

any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete possession thereof.

Submitted by:

WILDE & ASSOCIATES

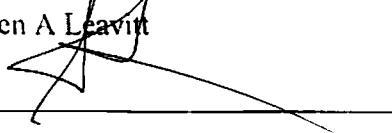


GREGORY L. WILDE, ESQ.

Attorneys for Secured Creditor
212 South Jones Boulevard
Las Vegas, Nevada 89107

APPROVED AS TO FORM & CONTENT:

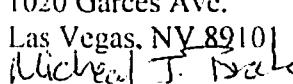
Kathleen A Leavitt

By 

Kathleen A Leavitt
Chapter 13 Trustee
201 Las Vegas Blvd., So. #200
Las Vegas, NV 89101

David Krieger

By _____

David Krieger
Attorney for Debtors
1020 Garces Ave.
Las Vegas, NV 89101


Nevada Bar No. 013553

1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 _____ The court waived the requirements of LR 9021.

3 _____ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 _____ No parties appeared or filed written objections, and the trustee is the movant.

5 This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a
copy of this proposed order to all counsel who appeared at the hearing, and any trustee
appointed in this case, any unrepresented parties who appeared at the hearing, and each has
approved or disapproved the order, or failed to respond, as indicated below:

6 Debtor's counsel:

7 approved the form of this order _____ disapproved the form of this order

8 _____ waived the right to review the order and/or _____ failed to respond to the document

9 _____ appeared at the hearing, waived the right to review the order

10 _____ matter unopposed, did not appear at the hearing, waived the right to review the order

11 Trustee:

12 approved the form of this order _____ disapproved the form of this order

13 _____ waived the right to review the order and/or _____ failed to respond to the document

14 _____ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all
counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented
parties who appeared at the hearing, and each has approved or disapproved the order, or failed to
respond, as indicated below.

15 Debtor's counsel:

16 _____ approved the form of this order _____ disapproved the form of this order

17 _____ waived the right to review the order and/or _____ failed to respond to the document

18 _____ appeared at the hearing, waived the right to review the order

19 _____ matter unopposed, did not appear at the hearing, waived the right to review the order

20 Trustee:

21 _____ approved the form of this order _____ disapproved the form of this order

22 _____ waived the right to review the order and/or _____ failed to respond to the document

23 _____ I certify that I have served a copy of this order with the motion, and no parties appeared or filed
written objection.

24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

26 Gregory L. Wilde, Esq.

Attorney for Secured Creditor